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Memo: Action now that Australian Parliament has ratified Timor Gap Treaty

Both Houses of Parliament in Australia have now discussed and approved two bills, the Petroleum Zone of Cooperation Bill and the Petroleum Australia Indonesia Zone of Cooperation Consequential Amendments Bill, paving the way to ratification of the Timor Gap Treaty. No opposition was voiced in the House of Representatives. Eight Australian Democrats in the Senate and one independent Senator opposed the bills in the Senate, but this did not prevent ratification in the upper chamber.

The bills still have to be signed into law by the Governor following which there will presumably be an exchange of instruments of ratification between Indonesia and Australia. But to all intents and purposes, the Treaty has been ratified, so we feel attention should now turn to Portugal.

Although the Portuguese Government has several times indicated that it would take "all legitimate means within reach" to challenge the Treaty or that it would bring the Treaty "before the appropriate international body", it has failed as yet to commit itself to asking the International Court of Justice to adjudicate. We therefore propose that solidarity groups now concentrate on actions to exert pressure on the Portuguese Government. This could take several forms: sending letters to the President and the Prime Minister urging that they go to the Court, seeking an interview with your local Portuguese ambassador, perhaps even organising a vigil outside the Portuguese embassy. Any actions should be well publicised.

To reinforce your arguments in favour of legal action by Portugal, we enclose a legal opinion written by three well-known international law experts from Cambridge University. This has already been used in the Portuguese press, much to the embarrassment of the government.

[Note to some groups: Ten days ago, I sent faxes to some groups, proposing that we jointly sign a letter to the Portuguese President and Prime Minister. As yet no group has responded. We have therefore decided to abandon that attempt and suggest instead that groups in each country mount their own campaign of pressure on Portugal.]

Decolonisation Committee

It is now less than 2 months to the 1990 meeting of the UN Decolonisation Committee. If you have not already done so, please arrange for someone or several people from your country to petition the Committee. [See our Memo of 27 April 1990.]

We propose that besides raising the usual issues, petitions should this year condemn the Timor Gap Treaty as illegal. We feel that Portugal should also be criticised at the Committee for the delay in taking the matter to the International Court. This could be an effective way of persuading the Portuguese Government into taking positive action on the Treaty.

Carmel Budiardjo